

## Interview Summary

Application No.  
**09/310,667**

Applicant(s)  
**Ecker et al.,**

Examiner  
**Frank Lu**

Group Art Unit  
**1655**

All participants (applicant, applicant's representative, PTO personnel):

(1) Frank Lu

(3) Mr. Paul Legaard (Reg. No. 38,534)

(2) Dr. Ethan Whisenant

(4) Ken Tarbet 43,181

Date of Interview Jan 8, 2002

Type: a) ☐ Telephonic b) ☐ Video Conference  
c) ☒ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:

Claim(s) discussed: 27-29, 35-41, and 43-51

Identification of prior art discussed:

(1) Williams et al., Nucleic Acids Res., 22, 4660-4666, 1994; (2) Garcia et al., (J. Mol. Biol., 254, 247-259, 1995); and (3) Gutell (Nucleic Acids Res., 21, 3051-3054, 1993)

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Mr. Legaard and Mr. Tarbet indicated that they would add the limitation "wherein said oligonucleotide does not comprise the histone" into independent claims. They argued that the references from Garcia et al., and Gutell did not teach the limitations of claims. Mr. Lu and Dr. Whisenant agreed to reconsider the rejections after they received applicant's response to the final rejection.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.